

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, independent claim 1 has been amended. Claims 1-21 are pending for further examination.

Claims 1-3, 5-9, 13-16, 18, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martin et al. (U.S. Pat. 5,355,302 “Martin”) in view of Barone et al. (U.S. Pat. 5,315,711 “Barone”). Applicant submits that the applied references do not teach or suggest all elements of the claimed combination.

For example, claim 1 recites, *inter alia*, “a first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device, by sending, *from the remote device via the server to each selected audiovisual information reproduction device*, a modification command file generated by the server by using information from the database (emphasis added).”

The Office Action concedes that Martin does not disclose this claim element, and introduces Barone to compensate for this deficiency of Martin. After listing this and several other claim elements not found in Martin, the Office Action states “[i]n another word, Martin does not disclose the network site is remotely accessible by an operator and having a plurality of screens (GUI) for performing various manager tasks.” The Office Action then alleges “Barone discloses a GUI interface, which allows “a user” i.e., network administrator, to dynamically configure/manage remote network sites via a

series of screens.” Whether or not Barone discloses the alleged feature, what Barone does not disclose is any teaching or suggestion that an operator can access “a first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device, by sending, from the remote device via the server to each selected audiovisual information reproduction device, a modification command file generated by the server by using information from the database.” Applicant respectfully submits that Examiner has generalized Applicant’s claim, and then found and applied a piece of art that may or may not disclose the generalization, but one that is completely silent as to at least the noted element of Applicant’s claim.

Barone does discuss managing a host processor, using a workstation remotely controlling a console coupled to the host processor, but such management is not, and does not teach or suggest “a first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device, by sending, *from the remote device via the server to each selected audiovisual information reproduction device*, a modification command file generated by the server by using information from the database (emphasis added).”

For at least this reason, Applicant submits that claim 1 is allowable over the prior art of record. Claims 2-3, 5-9, 13-16, 18, and 20 should be allowable based at least on their dependency from allowable claim 1.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Martin in view of Barone and further in view of Nichols (U.S. Pat. 6,138,150 “Nichols”). Nichols, however, does not rectify the shortcomings of Martin and Barone with respect to claim 1, from which claim 4 depends. Thus, based at least on its dependency from claim 1, claim 4 should be allowable over the prior art of record.

Claims 10, 17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martin in view of Barone and further in view of Kleiman (U.S. Pat. 5,959,945 “Kleiman”). Kleiman, however, does not rectify the shortcomings of Martin and Barone with respect to claim 1, from which claims 10, 17 and 19 depend. Thus, based at least on their dependency from claim 1, claims 10, 17 and 19 should be allowable over the prior art of record.

Claims 11 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martin in view of Barone and further in view of Rhoads (U.S. Pat. 6,311,214 “Rhoads”). Rhoads, however, does not rectify the shortcomings of Martin and Barone with respect to claim 1, from which claims 11 and 21 depend. Thus, based at least on their dependency from claim 1, claims 11 and 21 should be allowable over the prior art of record.


Applicant respectfully submits that claims 1-21 are in condition for allowance for at least the reasons presented herein. Applicant believes that all pending claims clearly and patentably distinguish the prior art of record. Applicant therefore respectfully requests that the rejections of claims 1-21 be withdrawn and that claims 1-21 be allowed.

⁷ NATHAN et al
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Should the Examiner have any questions regarding this case, or deem that any formal matters need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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